

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

September 22, 2008

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 22nd day of September, 2008 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Bill Curry, Member
Robert Lopez, Member
Richard Primrose, County Manager
Ellen White, County Clerk

OTHERS PRESENT:

Cindy Ford, Quay County Resident
Larry Moore, Quay County Road Superintendent
Donald Adams, Quay County Fire Marshall
Janie Murray, Quay County Assessor
Dallas Dowell, Quay County Resident
Collette Vanderpool, Quay County Manager's Office
Mr. & Mrs. Robert Curtis, Quay County Residents
David Peacock, Quay County Resident
Mr. & Mrs. Robert VanSweden, Quay County Residents

The meeting was called to order by Chairman Franklin McCasland. Larry Moore led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the September 8, 2008 regular meeting. MOTION carried with all members voting "aye".

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Agenda. MOTION carried with all members voting "aye".

PUBLIC COMMENTS: Residents who live on Quay Road AI expressed their concerns regarding WWC Construction Company using Quay Road AI to utilize a gravel pit on the Singleton Ranch. The traffic has significantly increased and large equipment is being transported to get to the gravel pit. Concerns included the vehicles are traveling at un-safe speeds causing danger to residents and animals; Gates are being left open releasing livestock; road will be left in bad condition after the heavy trucks and equipment complete their jobs. The Board of Commissioners acknowledged the concerns of the residents and will make every effort to meet with the Construction Company to ensure the safety of the residents and animals. County Manager Primrose will make the Department of Transportation and the Sheriff aware of the load limits and speed limits and ask them to patrol the area. Quay County will try and set a

meeting between the Construction Company, residents and County to make all aware of the concerns and expectations of all involved in the care and repair of Quay Road AI.

Residents who voiced their concerns during the Public Comments portion of this meeting included:

Dallas Dowell, Robert & Tressie Curtis, Robert & Jackie VanSweden, David Peacock

Janie Murray, Quay County Assessor informed the Commissioners she had attend the Gathering of the Counties at the New Mexico State Fair on behalf of Quay County. Murray reported the ceremony was very nice. The Commissioners thanked Murray for attending and representing Quay County.

Donald Adams, Quay County Fire Marshall presented the following Resolutions for approval:

1. Resolution 2008-2009 #18; Authorization of Budgetary Increase for the Forrest Fire District (411-12)
2. Resolution 2008-2009 #17; Authorization of Budgetary Increase for the Jordan Fire District (412-12)

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolutions as presented. MOTION carried with all members voting "aye". Copies of said Resolutions are attached and made a part of these minutes.

Adams said the State Fire Marshall has planned a visit to Quay County the week of October 6, 2008. There will be a meeting of the Quay County Fire Chief meetings the week of October 15 and Adams is going to request the State Fire Marshall change his visit to the week of October 15 so he can attend the meeting with the Fire Chiefs. Adams stated the Community Wildfire Protection Plan has been approved and there is one remaining step to have it implemented.

Larry Moore, Quay County Road Superintendent presented the following report:

1. Received an application and the application fee from Ted Rush to close a portion of Quay Road AG.5 and Quay Road 41. Adjacent landowners have agreed and signed a letter of agreement. The volunteer viewers/free holders will be contacted and taken by Moore to view the area of the roads to be closed and will present their opinion at a future meeting.
2. Presented a letter from the Guadalupe County Commission to Moore allowing Quay County to piggy-back off their procurement procedures to purchase blades from Wagner Equipment. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the piggy-back offer from Guadalupe County and authorize the expenditure to lease the new blades. MOTION carried with all members voting "aye". Copies of the letter and Agreement with Wagner are attached and made a part of these minutes.
3. Crews have finished hauling on Quay Road 71 and will begin on Quay Road 72 next Monday.
4. Quay Road AI is complete with the exception of some clean up, installation of some culverts, guard rails and reflectors and the striping.
5. A concern from Tom Bruhn is being looked into regarding Quay Road X. There appears to be a boundary dispute along that road between land owners. Moore will continue to investigate and will report at the next meeting or whenever a determination can be made.
6. Attended the RPO meeting and discussed the proposed legislation for road projects. It was noted that funds are going to be so short there will not even be enough money to be distributed so proper maintenance can occur on all roads during the winter snows.

Richard Primrose made the following County Manager's Report:

1. Presented a Supplemental Sole Community Provider Payment Request. Additional funding has been received and the County's portion of supplemental funding will be \$82,305. The additional funding is a result of some entities not being able to utilize the funds because their county could not provide the supplemental funding. A MOTION was made by Robert Lopez, SECONDED by Bill Curry. Commissioner Curry requested discussion. He asked why some counties would not provide the supplemental funding. Primrose stated some counties just don't have it in their budget. Quay County is fortunate to be able to support this project as a result of the gross receipts tax implemented by the voters of Quay County. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a portion of these minutes.
2. Presented the Grant Agreement between the Department of Finance and Administration and Quay County for the Special Appropriation of \$10,000.00 to recruit a medical provider for the Logan and Quay County Health Clinic. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Agreement as presented. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a part of these minutes.
3. Presented Resolution 2008-2009 #19; A Resolution Adopting an Infrastructure Capital Improvement Plan. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the ICIP as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
4. Requested approval of the 2009 Legislative Appropriations Proposal. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Proposal. MOTION carried with all members voting "aye".
5. Requested approval of letters to Edward T. Schafer, Secretary of the US Department of Agriculture and Governor Bill Richardson showing Quay County's support to implement an Animal & Plant Health Inspection Service Zone. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the letters as submitted. MOTION carried with all members voting "aye".
6. Received a letter from Senator Jeff Bingaman thanking Quay County for their letter of support regarding the Eastern New Mexico Water System Authorization Act.
7. Received a copy of letter from Robert Apodaca, Director of Local Government Division to Myles C. Culbertston, Executive Director of the New Mexico Livestock Board indicating the mill levy assessment rate requested for equine of 10 mills will not be included in this year's Certification of Tax Rates due to rates not being submitted in time.
8. Received a letter from Zach Dillenback, Financial Advisor for the New Mexico Finance Authority indicating conditional approval by the Board for the loan for repairs to the Quay County Detention Center.
9. Presented the statement from El Llano Estacado RC&D, Inc. for yearly dues in the amount of \$80.00. Commissioner Lopez is the County's representative on that Board.
10. Primrose attended a Central Dispatch meeting on September 19, 2008. A committee was appointed to go over policies and procedures. Another committee was appointed to re-do the Joint Powers Agreement to include all entities served by the Dispatch Center.
11. Attended a Ute Water Master Plan meeting on September 10, 2008 in Tucumcari. It was mentioned there is no longer a minimum pool requirement. Also stated was that recreational water use was not a beneficial use of the water. Discussion of the intake structure for Ute Lake Ranch was also discussed. A letter has been sent to Tonya Trujillo

of the Interstate Stream Commission requesting approval of the language in the contract for the Ute Lake Ranch project.

12. Primrose will meet with Kelly McFarland this afternoon to begin the audit process.
13. A Detention Center Officer has been hired through the New Mexico Workforce Program. Half of the new officer's salary will be paid by this program for the first six months of hire.
14. Lonny Phelps, Ute Lake Ranch Engineer is working on the entrance off of US Hwy 54. Details are being ironed out regarding moving of the current road and making agreements with the adjacent land owners.

Chairman McCasland requested a ten minute break. Time noted 10:10 a.m.
Return to regular session. Time noted 10:20 a.m.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 10:20 a.m.

-----INDIGENT CLAIMS BOARD-----

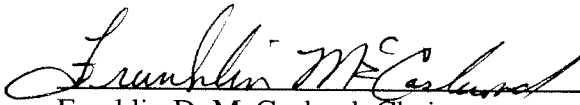
Return to regular session. Time noted 10:30 a.m.

UNDER OTHER BUSINESS: NONE

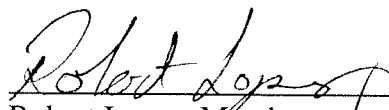
CHECKS WERE REVIEWED. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the expenditures as presented. MOTION carried with all members voting "aye". A copy of the expenditure report is attached and made a part of these minutes.

There being no further business, a MOTION was made by Robert Lopez, SECONDED by Bill Curry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for October 13, 2008, unless sooner called. MOTION carried with all members voting "aye". Time noted 10:35 a.m.

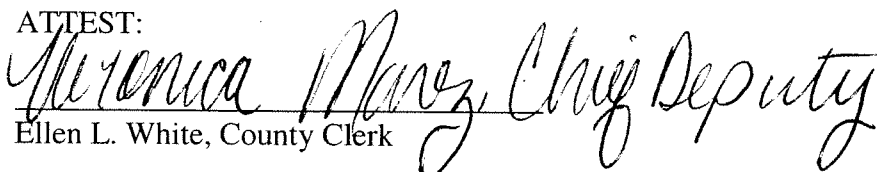
BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman

Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk